

REMARKS

Claims 1-36 are pending in this application. By this Amendment, claims 1, 19, 23-25, 27 and 29-30 are amended and claims 31-36 are added. No new matter is added.

I. Claim For Priority

The current and prior Office Actions fail to acknowledge Applicants' claim for priority. The Examiner is requested to acknowledge the claim for priority in the next Office Action.

II. The Claims Are Patentable Over The Applied References

The Office Action rejects claims 1-30 under 35 U.S.C. §103(a) over U.S. Patent No. 6,594,640 to Postrel in view of U.S. Patent No. 5,578,808 to Taylor. Applicants respectfully traverse the rejection.

Postrel discloses a system for operating an awards point accumulation and redemption program including a merchant computer 30, a user computer 40, a trading server 20, and merchant-specific reward servers 10-14 (Fig. 4). The reward servers 10-14 hold user data including earned value (points) negotiable for other goods, services, or points of other systems (col. 5, lines 37-43). Reward points are stored in a user's reward point account 52 (col. 6, lines 17-18). When points are redeemed, the appropriate reward server 10-14 decreases the reward points in the user's reward point account 52 and transfers the points to the trading server computer 20 (col. 6, lines 24-37), which places the points in the user's reward exchange account 54 (col. 6, lines 47-50). Points can be redeemed by the user to make purchases from a merchant over the internet (col. 7, lines 1-6). Postrel does not disclose any memory that stores points only for virtual stores or that stores points only for actual stores.

Taylor discloses a multi-application data card 10 that stores an application record (Fig. 4). The application record, a file, has entries for multiple vendors (Fig. 4). For non-financial transactions, points can be used (see Fig. 6A, step 158; col. 7, lines 34-37) and redeemed

(Fig. 6B, step 176; col. 7, lines 36-38). Taylor does not disclose any memory that stores points only for virtual stores or that stores points only for actual stores.

Regarding independent claims 1 and 19, the applied references fail to disclose a network comprising (1) a first memory that stores data of the points issued to the customer in at least one virtual store on a network; and (2) a second memory that stores data of the points issued to the customer in at least one actual store. The Office Action cites to Postrel as disclosing a first memory on a smart card (citing col. 9, lines 55-65) and to Taylor as disclosing a second memory on a smart card (citing col. 3, lines 20-40 and col. 7, lines 35-50). Because a smart card is not a constituent part of a network, a memory on the smart card is not a memory on a network. Thus, claims 1, 19, and those claims dependent on claims 1 and 19, are patentable over the applied references.

Regarding dependent claims 17-18 and 22, the applied references fail to disclose "a credit company that issues credit to the customer comprising: [1] a first credit company memory for storing data of the points issued to the customer in virtual stores; [2] a second credit company memory for storing data of the points issued to the customer in an actual store; [3] a credit company virtual server connected to the first credit company memory that is configured to communicate with the at least one virtual store; and [4] a credit company actual server connected to the second credit company memory that is configured to communicate with the at least one actual store."

The Office Action, for the rejections of both claims 17 and 22, alleges Taylor discloses these features, citing to col. 3, lines 20-40 and col. 7, lines 35-50. At col. 3, lines 20-40 and at col. 7, lines 35-50, Taylor is silent as to any credit card company, any first credit company memory storing points of an actual store, any second credit card memory storing points from a virtual store, any credit company virtual server communicating with a virtual store, or any credit company actual server communicating with a actual store. Applicants

note that while Taylor discloses a credit card company such as AMEX (Fig. 4), Taylor does not disclose that points issued from a virtual store are stored in a first credit company memory and that points issued from an actual store are stored in a second credit company memory, both credit company memories associated with the same credit company. Thus, the rejection of claims 17 and 22, and those claims dependent on claims 17 and 22, is improper and should be withdrawn.

Regarding independent claim 27, the applied references fail to disclose (1) "a network comprising a first memory that stores data of the points issued to the customer from at least one virtual store, a second memory that stores data of the points issued to the customer from at least one actual store, a tie-up company comprising the first and second memories;" and (2) a "recording medium comprising: a first working file that stores points; and a second working file that stores information identifying the tie-up company." Regarding feature (1), the applied references fail to disclose a network comprising the first and second memories for the same reasons discussed in relation to the rejection of claims 1 and 19. Further, neither Postrel, nor Taylor, disclose a tie-up company independent from any vendors. Regarding feature (2) above, while Postrel and Taylor disclose smart cards (see Postrel, col. 9, lines 55-64 and Taylor, col. 3, lines 20-40 and col. 7, lines 35-50), neither applied reference discloses a smart card that comprises a second working file storing information identifying a tie-up company. Taylor teaches away from such a memory because Taylor discloses that bonus point tie-ins are stored in the record column for the corresponding vendor, not in a tie-up company file (see col. 3, lines 36-38).

Regarding independent claims 29-30, the applied references fail to disclose a network comprising a tie-up company having first and second memories for the same reasons as discussed in relation to the rejection of claims 1, 19 and 27.

For the foregoing reasons, Applicants respectfully request withdrawal of the rejection.

III. New Claims

Newly added claims 31-36 are patentable over the applied references due to their dependence from claims 1 and 19, respectively, and due to the additional features recited in these claims.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

Request for Continued Examination
Amendment Transmittal

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